

HOUSE BILL No. 1380

DIGEST OF INTRODUCED BILL

Citations Affected: IC 22-4-25-1.

Synopsis: Special employment and training services fund. Provides that the annual amount released from the special employment and training services fund for training and counseling assistance provided by Hometown Plans is increased from \$400,000 to \$575,000, \$175,000 of which must be distributed for use in the Evansville area.

Effective: July 1, 2015.

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January 14, 2015, read first time and referred to Committee on Ways and Means.



First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1380

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 22-4-25-1, AS AMENDED BY P.L.121-2014,
2 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 1. (a) There is created in the state treasury a
4 special fund to be known as the special employment and training
5 services fund. All interest on delinquent contributions and penalties
6 collected under this article, together with any voluntary contributions
7 tendered as a contribution to this fund, shall be paid into this fund. The
8 money shall not be expended or available for expenditure in any
9 manner which would permit their substitution for (or a corresponding
10 reduction in) federal funds which would in the absence of said money
11 be available to finance expenditures for the administration of this
12 article, but nothing in this section shall prevent said money from being
13 used as a revolving fund to cover expenditures necessary and proper
14 under the law for which federal funds have been duly requested but not
15 yet received, subject to the charging of such expenditures against such



1 funds when received. The money in this fund shall be used by the board
2 for the payment of refunds of interest on delinquent contributions and
3 penalties so collected, for the payment of costs of administration which
4 are found not to have been properly and validly chargeable against
5 federal grants or other funds received for or in the employment and
6 training services administration fund, on and after July 1, 1945. Such
7 money shall be available either to satisfy the obligations incurred by
8 the board directly, or by transfer by the board of the required amount
9 from the special employment and training services fund to the
10 employment and training services administration fund. The board shall
11 order the transfer of such funds or the payment of any such obligation
12 or expenditure and such funds shall be paid by the treasurer of state on
13 requisition drawn by the board directing the auditor of state to issue the
14 auditor's warrant therefor. Any such warrant shall be drawn by the state
15 auditor based upon vouchers certified by the board or the
16 commissioner. The money in this fund is hereby specifically made
17 available to replace within a reasonable time any money received by
18 this state pursuant to 42 U.S.C. 502, as amended, which, because of
19 any action or contingency, has been lost or has been expended for
20 purposes other than or in amounts in excess of those approved by the
21 bureau of employment security. The money in this fund shall be
22 continuously available to the board for expenditures in accordance with
23 the provisions of this section and for the prevention, detection, and
24 recovery of delinquent contributions, penalties, and improper benefit
25 payments, and shall not lapse at any time or be transferred to any other
26 fund, except as provided in this article. Nothing in this section shall be
27 construed to limit, alter, or amend the liability of the state assumed and
28 created by IC 22-4-28, or to change the procedure prescribed in
29 IC 22-4-28 for the satisfaction of such liability, except to the extent that
30 such liability may be satisfied by and out of the funds of such special
31 employment and training services fund created by this section.

32 (b) Whenever the balance in the special employment and training
33 services fund exceeds eight million five hundred thousand dollars
34 (\$8,500,000), the board shall order payment of the amount that exceeds
35 eight million five hundred thousand dollars (\$8,500,000) into the
36 unemployment insurance benefit fund.

37 (c) Subject to the approval of the board, and the availability of
38 funds, on July 1 each year the commissioner shall release:

- 39 (1) one million dollars (\$1,000,000) to the state educational
40 institution established under IC 21-25-2-1 for training provided
41 to participants in apprenticeship programs approved by the United
42 States Department of Labor, Bureau of Apprenticeship and



Training;

(2) four million dollars (\$4,000,000) to the state educational institution instituted and incorporated under IC 21-22-2-1 for training provided to participants in joint labor and management apprenticeship programs approved by the United States Department of Labor, Bureau of Apprenticeship and Training;

(3) two hundred fifty thousand dollars (\$250,000) for journeyman upgrade training to each of the state educational institutions described in subdivisions (1) and (2);

(4) ~~four five~~ **hundred seventy-five** thousand dollars ~~(\$400,000)~~ **(\$575,000)** annually for training and counseling assistance:

(A) provided by Hometown Plans under 41 CFR 60-4.5; and

(B) approved by the United States Department of Labor, Bureau of Apprenticeship and Training;

to individuals who have been unemployed for at least four (4) weeks or whose annual income is less than twenty thousand dollars (\$20,000); and

(5) three hundred thousand dollars (\$300,000) annually for training and counseling assistance provided by the state institution established under IC 21-25-2-1 to individuals who have been unemployed for at least four (4) weeks or whose annual income is less than twenty thousand dollars (\$20,000) for the purpose of enabling those individuals to apply for admission to apprenticeship programs offered by providers approved by the United States Department of Labor, Bureau of Apprenticeship and Training.

(d) ~~The funds released under subsection (c)(4) through (c)(5):~~

~~(1) shall be considered part of the amount allocated under section 2.5 of this chapter; and~~

~~(2) do not limit the amount that an entity may receive under section 2.5 of this chapter.~~

At least one hundred seventy-five thousand dollars (\$175,000) of the funds released annually under subsection (c)(4) must be distributed for use in the applicable geographic area that includes Evansville.

(e) Each state educational institution described in subsection (c) is entitled to keep ten percent (10%) of the funds released under subsection (c) for the payment of costs of administering the funds. On each June 30 following the release of the funds, any funds released under subsection (c) not used by the state educational institutions under subsection (c) shall be returned to the special employment and training services fund.

